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IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant[s]: Klas Nordstrom *et al.*§
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Group Art Unit: 2165

Serial No: 09/993,843

Examiner: Jacques Veillard

Filed: November 5, 2001

For: Telecommunications Network Resource Handling Arrangement and Method

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the US Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, (703) 872-9306, on November 15, 2004.

Name: Jacqueline Wilson

Signature: 

Dear Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. 1.181**

It is respectfully requested that the USPTO withdraw the holding of abandonment and continue examination of this application. The application was abandoned by the USPTO for Applicant's failure to timely file a response to the Office Action dated April 30, 2004. The Applicant contends that this application is, in fact, not abandoned. The facts relating to the abandonment of this application are as follows:

1. A Notice of Abandonment was issued by the USPTO on October 29, 2004. The notice stated that the Applicant failed to respond to the Office Action dated April 30, 2004. (Enclosure A) The Notice of Abandonment is addressed to Burns,

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Doane, Swecker and Mathis, LLP (Burns Doane), the former representative of the Applicant.

2. The Applicant timely submitted an Associate Power of Attorney to the USPTO by facsimile on September 26, 2003, appointing the Applicant's current representative, practitioners of Customer Number 27045 (Ericsson, Inc). A copy of this submittal is enclosed herewith, along with the USPTO Auto-Reply Facsimile Transmission receipt dated September 26, 2003. (Enclosure B)

3. The USPTO issued an Office Action on April 30, 2004. The Office Action apparently was sent to Burns Doane, as the current representative has not received the Office Action to this date.

4. The undersigned was notified in a telephone interview with Examiner Jacques Veillard that the subject patent application had been abandoned by the USPTO due to the lack of a reply to the April 30 Office Action. Examiner Veillard indicated that a copy of the October 29 Notice of Abandonment would be sent to the current representative as soon as possible.

5. In the interview the undersigned (a practitioner under the Associate Power of Attorney) agreed with the Examiner that the application had technically become abandoned. However, since the first Office Action had been sent to the previous representative, the current representative had no notice of the Office Action in order to file a timely reply and avoid abandoning the Application.

The Applicant contends that the Associate Power of Attorney was timely filed with the USPTO and the USPTO's receipt is proof that the USPTO received the change of representative in a timely manner. The Applicant further contends that no petition fee is due since the Office Action was addressed to the wrong representative by the USPTO and the Applicant had no intent to abandon the Application.

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For all the above reasons, the Applicant respectfully requests that the USPTO withdraw the holding of abandonment and continue examination of this application.

Respectfully submitted,


Sidney L. Weatherford
Registration No. 46,602

Date: November 15, 2004
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